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4 BILL NO. G-72-09-29

5 GENERAL ORDINANCE NO. G- Defeated

6 AN ORDINANCE amending Chapter 11,
7 Sections 20, 21, 22 and adding Sections
8 23 and 24 of the Municipal Code of the
9 City of Fort Wayne, Indiana 1946.

10 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
11 FORT WAYNE, INDIANA:

12 SECTION 1. Sections 20, 21 and 22 of Chapter 11 of the
13 Municipal Code of the City of Fort Wayne, Indiana, 1946, are
14 hereby amended to read as follows:

15 Sec. 20. No nuisance where adequate and open fire lanes.

16 No building shall constitute such a nuisance if the
17 owner and lessee provided adequate marked fire lanes,
18 complying with the standards proposed by the Fire
19 Prevention Bureau as hereinafter provided and keep such
20 lanes open at all time for fire fighting equipment.

21 Sec. 21. Standards For Dedication of Lanes.

22 The Fire Prevention Bureau shall prepare standards
23 for the dedication of fire lanes, which standards shall
24 be furnished upon request to anyone wanting them.

25 Sec. 22. Dedication of Lanes

26 No building permit shall be issued a) for the con-
27 struction of any new building in a shopping center which
28 has, or which has been planned to have, three or more
29 different lessees engaged in retail sales, in the service
30 and repair business, in the restaurant business or in the
31 entertainment business; b) for the construction of a
32 nursing home, or for the alteration of an existing build-
33 ing for such use; c) for the construction of an apartment
34 building having six or more separate apartments, or for
35 the alteration of an existing building for such use,
36 unless the owner of the real estate upon which the con-
37 struction or alteration is to occur shall first have
38 dedicated adequate fire lanes, either for general public
39 use or for use only as fire lanes, and unless the bureau
40 of fire prevention shall have issued its certificate in
41 writing that such fire lanes, as dedicated, comply with
42 the standards prepared by said bureau. Thereafter the
43 fire department shall be responsible for marking the
44 lanes and keeping them open and the owner and lessee shall
45 be relieved of all further responsibility under this article.

46 SECTION 2. Chapter 11 of the Municipal Code of Fort
47 Wayne, Indiana, 1946 shall be amended by adding thereto Sections
48 23 and 24 as follows:

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APPROVED AS TO FORM
AND LEGALITY
James Logan
CITY ATTORNEY


Sec. 23. Penalties For Obstruction Of Lanes.

Any person parking in or otherwise obstructing a marked fire lane, whether or not dedicated, shall be subject to the same penalties provided for such parking or otherwise obstructing fire lanes on public streets. Personnel of the Fire Prevention Bureau are authorized to, and shall, issue tickets for such parking or otherwise obstructing marked fire lanes.

Sec. 24. Severability

If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid by any court, it shall be conclusively presumed that this Ordinance would have been passed by the common council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.



Councilman

Read the first time in full and on motion by Kraus seconded by Hinga and duly adopted, read the second time by title and referred to the Committee on Regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the _____ day of _____, 19____, at _____ o'clock P.M., E.S.T.

Date: 9-26-72

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Kraus seconded by Stier and duly adopted, placed on its passage. Passed (LOST) by the following vote:

AYES <u>✓</u>	NAYS <u>7</u>	ABSTAINED _____	ABSENT _____ to-wit:
Burns _____	<u>✓</u>	_____	_____
Hinga _____	<u>✓</u>	_____	_____
Kraus <u>✓</u>	_____	_____	_____
Nuckols <u>✓</u>	_____	_____	_____
Moses _____	<u>✓</u>	_____	_____
Schmidt, D. _____	<u>✓</u>	_____	_____
Schmidt, V. _____	<u>✓</u>	_____	_____
Stier _____	<u>✓</u>	_____	_____
Talarico _____	<u>✓</u>	_____	_____

Date 10-10-72 Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. Definita on the 10th day of October, 19 72.

ATTEST: (SEAL) Charles W. Westerman
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____ at the hour of _____ o'clock _____ M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this _____ day of _____, 19____ at the hour of _____ o'clock _____ m., E.S.T.

MAYOR

Bill No. G-72-09-29

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending Chapter 11, Sections 20, 21, 22 and adding
Sections 23 and 24 of the Municipal Code of the City of
Fort Wayne, Indiana 1946.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do Not PASS.

Eugene Kraus, Jr. - Chairman

James S. Stier - Vice-Chairman

William T. Hinga

Paul M. Burns

Vivian G. Schmidt

James S. Stier
William T. Hinga
Paul M. Burns

CONCURRED IN
DATE 6-10-72 CHARLES W. WESTERMAN, CITY CLERK